

## Input from States and Tribes on Action Plan III

### Illinois

I am providing comments and questions on the GLRI Action Plan III for Illinois.

First, I would like to thank you for your commitment to working closely with the states to assure that GLRI will continue to meet our Great Lakes' needs. Overall, I appreciate the approach to and format of the Plan. The clarifications of certain details and measures is a significant improvement.

For Focus Area 1, the Annex 3 priorities to focus on specific Chemicals of Mutual Concern is wise to achieve desired progress. I have some concerns about the potential limitations of funding on monitoring and assessment of well-known (traditional) contaminants because these continue to have adverse effects. This may be addressed with the caveat that "other chemicals" may be investigated, but it is not entirely clear.

Focus Area 2 remains critical for Illinois' efforts at Asian carp control and containment. We are glad to see the continued commitment to this ongoing threat and other Aquatic Invasive Species. The explicit inclusion of resiliency and project sustainability is important, but depending on the approach and criteria, it could present a challenge to some land managers.

Focus Area 3 is much improved with the addition of monitoring effectiveness and refining management efforts. Although I would like to see more investment in urban stormwater runoff, the heavy focus on nutrient runoff is understandable. I would also like to see changes to project funding in this focus area. Previous competitive community-based projects were not always strategic and well-planned. In particular, smaller communities may not have the resources and expertise to identify impactful projects. State coordination could be advantageous if we know we can help determine priorities in advance. Other partner entities, like stormwater management agencies, could also play a significant role in identifying and developing high-quality, effective projects.

I heartily support the addition of coastal processes as a part of Focus Area 4. Erosion, accretion and other littoral dynamics are directly affecting (often obliterating) high quality natural communities and habitat for rare species. Through our work at Illinois Beach State Park, we have also determined that some of the wetland habitat that is being lost to erosion is also a significant loss of stored carbon that would take hundreds of years to build up again. Thank you to USEPA for including this very important habitat component.

It appears that Focus Area 5 has lost its focus on climate resiliency. I am concerned that GLRI will not invest in necessary action towards adaptation and resilience. I did notice that resilience has been added to other Focus Areas, so perhaps it will be addressed through specific focus area projects and built in to other priorities. If climate resilience and adaptation are in fact less of a focus, I urge USEPA to promote coordination with the State Coastal Programs and NOAA to complement GLRI priorities.

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### Michigan

Thank you for the opportunity to review the February 26, 2019 draft Great Lakes Restoration Initiative Action Plan III. On behalf of the State of Michigan, I offer the following comments:

Throughout the document the abbreviation "FY" is used to designate "Fiscal Year." It doesn't appear to be explicitly defined. While the majority of readers are likely to be familiar with the terminology, not all of them will be. We advise defining it early in the document.

Throughout the document (pages 6, 10, 12, 16, 18, 22, 24) the portions labeled "Measures of Progress with Annual Targets" include columns with annual targets. The column headings list years without the use of "FY" implying that they are calendar year targets. However, the footnotes use "FY" in referring to the year. This leads to uncertainty as to whether targets are designated as fiscal year or calendar year targets. We advise reformatting to make the intentions clear on this point.

The box at the bottom of page includes multiple references to "GLRI agencies." These do not appear to be explicitly defined anywhere in the document and can only be inferred by the collection of agency logos on the back page under the heading "Great Lakes Interagency Task Force." We advise explicitly naming these agencies near the front of the document.

The second paragraph of the box on page five lists seven of the designated beneficial use impairments. Some of them are abbreviated or misstated (e.g., nuisance algal blooms). Some readers will likely infer that this represents a complete listing of beneficial use impairments. We advise changing the opening of the sentence to read "Examples of beneficial use impairments include..." We further advise that any BUI examples included be cited exactly as they appear in the GLWQA rather than shortening or paraphrasing them.

The diagram "Path to Delisting" on page 6 includes four steps. Three of the steps are laid out with action verbs. For consistency and effect, we recommend rewording the third step as "Monitor for achievement of BUI targets" or something similar.

On page 8 there is a reference to "Annex 3 leads." Many readers will not know that the Annex 3 lead is a designated person from a federal agency charged with overseeing activities under Annex 3 of the GLWQA and GLWQA Annexes aren't even mentioned until the box following this reference. We advise this sentence be rewritten to eliminate the Annex 3 lead reference.

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The diagram at the bottom of page 8 seems incomplete. Our understanding of the process to identify chemicals of mutual concern is that it ends with a formal declaration by the Parties. This concept does not seem to be adequately captured in the final step of the diagram which is simply "Report results."

The diagram on page 12 is shown with circular arrows implying that the activities are sequential and repeated. We don't believe the activities are sequential or repeated. We advise removing the circular arrows.

The diagram of phragmites control technologies on page 14 uses a Great Lakes map as a backdrop. The use of this map implies that the technologies are being applied at the locations designated on the map which is misleading. We advise replacing the Great Lakes map backdrop with a generic drawing or photo of phragmites or something else that would not mislead the reader.

Agricultural Priority Watersheds are identified under Focus Area 3 on page 15. Under the Annex 4 process, the USEPA Domestic Action Plan and the Michigan Domestic Action Plan for Western Lake Erie both identify the River Raisin as a priority watershed. We recommend that the River Raisin and any other watersheds identified as priorities under the Annex 4 process also be designated as such under Focus Area 3 and the GLRI Action Plan III.

Recent studies have indicated that nutrient enrichment problems in the Great Lakes are dependent not just on the total amount of nutrients they receive, but also on the form of those nutrients. In particular, studies are showing issues arising from Dissolved Reactive Phosphorus (DRP) discharges to Lake Erie. We recommend that portion of the plan dealing with reducing agricultural nutrient runoff under Focus Area 3 be updated to indicate that an additional priority is to further study how the different forms of nutrients (both phosphorus and nitrogen) affect the Great Lakes in general and Lake Erie in particular.

The graph of juvenile lake sturgeon catch rate on page 23 does not define the units of measurement (perhaps number of fish per unit of surface area?). It should be added.

Please contact me if you need further clarification of any of these comments. Thanks again.

Rick Hobrla  
Michigan Office of the Great Lakes  
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## Input from States and Tribes on Action Plan III

### Minnesota

Thank you for the opportunity to review the Draft Great Lakes Restoration Initiative (GLRI) Action Plan III (Plan) before it goes out on public notice. On behalf of the Minnesota Pollution Control Agency (MPCA), I have reviewed the portion of the Focus Area 1 text related to the Areas of Concern (AOC). You may receive additional feedback from other MPCA or Minnesota Department of Natural Resources staff related to other portions of the Plan via separate emails. I have only a few comments and questions and they are minor:

- On p.1 in the 2<sup>nd</sup> paragraph, you describe the future delisting of seven additional AOCs, but doesn't indicate over what timeframe this will happen. Is this meant to be the # of expected delistings over the next five years vs. the total of 27 US AOCs that remain to be delisted? In the table on p.6, you note that twelve AOCs have all management actions necessary for delisting implemented; subtracting the four that are already delisted, this leaves eight that are eligible for delisting (not seven). Those eight are again listed later on p.5, so perhaps the mention of seven additional AOCs is an error.
- On p.1, 3<sup>rd</sup> paragraph, you say "By adding GLRI resources to agency base budgets..." In Minnesota, agency base budgets provide only a tiny fraction of the non-federal share. Our non-federal share comes primarily from municipal contributions, state bonds, and special appropriations. It would be more accurate to state: "By adding GLRI resources to non-federal funding sources..."
- On p.2, 3<sup>rd</sup> paragraph, you reference thirteen measures of progress that have annual targets, then on p.4 , 22 measures of progress are listed, of which twelve have numerical targets. Which are the annual measures?
- On p.5, it would be nice to see the two letter abbreviation for each state in parentheses behind each of the eight listed AOCs to give credit to the states reaching this milestone.
- On p.5, the blue text box only lists seven of the 14 Beneficial Use Impairments. If you don't have room to list all 14 BUIs, adding text clarifying that the list is not inclusive of all the BUIs would be more accurate.
- On p.5, the figure should be labeled U.S. Great Lakes Areas of Concern. In the status box, it would be nice to see the # of AOCs in each category in parentheses after each symbol name (i.e., 4 delisted, 8 with management actions completed, 19 remaining, for a total of 31 US AOCs). Also, it would be nice if the map (or text) could somehow reflect that the AOCs are not equal in scope/size/complexity. For example, could the symbols be enlarged with the # of management actions inserted (using TBD if the number hasn't been established yet)?
- Throughout the AOC section, you note that management actions include remediation and restoration projects. There is no discussion about those management actions that fall outside these two categories. For example, in the St. Louis River AOC, about a third of our management actions pertain to planning, research efforts, tracking and documentation, and data management – all of which take time and money and must also be completed to remove BUIs delist.

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Overall, I thought the AOC portion that I reviewed was well-written with nice graphics. Well done!

Barb

*Barb Huberty, St Louis River Area of Concern Coordinator*

Minnesota Pollution Control Agency – Remediation Division

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## Input from States and Tribes on Action Plan III

### New York

Dear Chris & Edlynzia – Please accept the following email comments to the draft Great Lakes Restoration Initiative (GLRI) Action Plan 3 from New York Department of Environmental Conservation:

- As with the previous Action Plan -2, we fully support and commend EPA for continuing to use the concise, colorful and strategic format for this report. The summary table on pg. 3-4 is especially useful and should be published in poster format to hang on my wall!
- F.A. 1 – The continuing focus on AOC restoration and delisting is a must and we concur with most of what is included in this draft plan. However, in addition to our comment on F.A. 1.1.3 below, we strongly urge EPA to consider including an objective that promotes the evolution of defined AOCs and Remedial Action Plans into more geographically expanded or diverse areas. This way, restoration of an AOC's restored beneficial use impairments is less likely to "slip backwards" and the same community energies can be applied to alleviating or restoring existing impairments beyond the AOC borders.
- F.A. 1.1.3 - While I understand why GLNPO proposes to add completion/approval of management action lists as a measure of progress, I don't necessarily agree that it is appropriate here. This measure would not represent any actual on-the-ground progress toward meeting the Action Plan's objectives for AOCs. It also doesn't follow from the corresponding "commitment," which is to "Implement management actions necessary to remove Beneficial Use Impairments and delist Areas of Concern." Although this metric would support EPA's reporting to Congress, it is too related to process rather than actual progress. In addition, GLNPO seems open to amending management action lists after having approved them, which reduces their significance as a performance milestone towards delisting an AOC. A better measure of progress should be volume of contaminated sediment remediated, as it was in previous Action Plans. Addressing sediment removal is key to removing numerous BUIs at nearly every remaining active AOC, and is significant in terms of tracking, justifying and allocating ongoing and future investments. Capturing progress on sediment, whether in terms of cubic yards remediated, projects completed, or another measure, would allow GLNPO to more immediately demonstrate that AOC work is advancing. Considering that sediment projects use relatively large portions of the GLRI appropriations, I would think that establishing a measure to track their progress makes sense. From our point of view, a priority sediment remediation measure also corresponds to one of the New York State's Great Lakes Action Agenda's priority actions for accelerating the delisting of New York's AOCs, and thereby enables us to more effectively leverage federal and state funding sources for this work.
- F.A. 1.2 – Although we strongly support including the list of Chemicals of Mutual Concern and enabling GLRI to help discover, understand and react to these substances, omitting the focus on Legacy contaminants – especially those still contributing to fish & game consumption advisories or AOC BUIs is a big mistake. We must keep these legacy chemicals on the radar and have GLRI resources available to investigate and respond to them where no other institutional/regulatory mechanisms exist.
- F.A. 2 – In various places within the Summary Table on pg 3 and the write-ups on pgs 9-12, mention is made to "GLRI-targeted species", "11 primary injurious wildlife species," and the list of example species controlled by federal agencies and partners. This raises considerable

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confusion to which lists or species will be included or not for GLRI actions? Also, this Focus Area must include species on the Great Lakes Governors & Premiers' "List of Least Wanted Species" which is where the states are focusing their funding and resource commitments. Only by integrating all these "lists" can we most effectively and efficiently leverage funds from multiple sources to make real progress in the war on invasives.

- F.A. 2.1 – The metrics should not only track early detection activities but also promote developing the science to understanding the risks of newly identified invasives species.
- F.A. 2.2.1 – The metric for this Objective, focusing solely on #acres can be very misleading and only serves to tell a small part of the overall story. For instance, states and local organizations are sponsoring invasive species eradication projects that abut or include GLRI-funded project areas and this additional acreage – while being restored, is not being accounted for. Rather than only focus on acres, an ecosystem function metric is needed that can demonstrate actual success in promoting the transition from impacted to native species populations/communities. Further, keeping the concept of long-term sustainability in mind, a most critical metric for promoting control of invasives species is the public's awareness of such species and their impacts. I recommend adding a 2.2.2 metric that tracks # people reached/engaged through project implementation and/or outreach.
- F.A. 3 – The fundamental principle behind this Focus Area has always been the U.S. Clean Water Act's "Drinkable, Swimmable and Edible Fish" goals. Yet nowhere in this Focus Area discussion are any commitments/metrics specifically relating to drinking water source protection activities. Likewise, only buried at the end of the first paragraph on pg 17 (Obj. #3.2) is there any mention of water quality at beaches or other swimmable objectives/desired outcomes. NY strongly believes and urges EPA to raise the visibility of these fundamental CWA goals within the GLRI Action Plan and create separate objectives focusing on source drinking water protection and reducing beach closures due to contaminants. Or at the very least, creating a new 3.2.1 metric that tracks the trend across the basin in reducing beach closures (and adjusting the numbering of the remaining two metrics accordingly).
- F.A. 3.1 – Although New York State very much appreciates the Genesee River watershed being identified as a GLRI investment priority, fact is, there are many other agricultural and urban-impacted waterways across the basin that have significant non-point source problems that ultimately impact the receiving lake. Rather than limit or discourage GLRI benefits in these other watersheds, the GLRI Action Plan 3 must be able to support efforts at all these other watersheds/locations within the basin. Also, this objective would benefit from adding a metric that tracks the removal of impaired or threatened waterbodies from the States' 303d Priority Waterbodies Lists to increase linkage to state/local water quality investments and programs.

Related question: What is the NRCS's current "over-subscription" of funding requests within these designated priority watersheds and how is NRCS demonstrating the effectiveness or beneficial results from GLRI and USDA federal investments?

- F.A. 4.1 – The caption under the opening photos implies the "GLR initiative" will better understand coastal processes. We recommend re-wording this to place the emphasis on the people or communities within the GL basin will better understand and properly apply coastal processes in protecting or restoring habitat and species.

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Further, as extreme weather events continue to impact habitats, there must be a greater emphasis by GLRI Action Plan 3 to supporting the physical, biological and chemical science collection needed to determine and design more climate or coastal resilient projects under this Focus Area.

- F.A. 4.1.1 – This objective should more clearly support both the acres or miles of habitat, but also development of the decision-making tools and restoration practices needed to best accomplish these targets.
- F.A. 4.1.2 – In both the Summary Table (pg 3-4) and on page 22, the habitat connectivity target or metric needs to be expanded to focus on all water-dependent fish and wildlife species (including mammals, birds, etc. within the aquatic food chains), thereby being more consistent with or supportive of the Great Lakes Water Quality Agreement principles and General Objectives.
- F.A. 4.2 – In the first commitment of this sub-objective, what is meant by “candidate species?” Does this include “Species of Greatest Concern” as identified in State Wildlife Conservation Plans required by USFWS? If not, it must!
- F.A. 5.1 – We very, very much appreciate GLRI Action Plan 3 supporting this most critical commitment to sustaining our ecosystems and engaging the next generation of stewards! Increase funding to better promote this target. But rather than using the term “impacted youth” we recommend “The youth and educators informed or influenced by ...” which better reflects the growing numbers of potential resource stewards. Also, the Great Lakes Literacy Principles are good, but the challenge is how to adopt these into federal and state learning standards that can actually be used in classrooms and course curricula. Coordination with Federal and State Education Departments and educators may be useful to facilitate such adoption and applications.
- F.A. 5.2 - Research back into 1960-70-80’s problems affecting the Great Lakes ecological integrity demonstrates we are still dealing with many of these same decades-old challenges. This would indicate an overall lack of growing understanding of their causes, impacts and trends in the ecosystem. A critically missing piece of the F.A. “Foundations for the Future” is the need to develop “knowledge-based networks” (beyond the Great Lakes State of the Ecosystem conferences) and information systems that more effectively capture and transfer to others all we are learning from GLRI-funded activities. It’s time for the GLRI Action Plan 3 to commit resources to creating the knowledge-based institutions and systems that future researchers and resource managers will depend on for sustainable management of the Great Lakes. Think of it as the future GLWQA/GLRI meta-data organization and library network knowledge collection/distribution system.
- Finally, most of the “low hanging fruit” and many “no regrets” projects have been accomplished. Except in AOCs, a major shortcoming of GLRI has been it’s avoidance or reluctance to fund investigations, monitoring, feasibility studies and designs as separate project applications where such activities would ultimately lead to “shovel ready” and innovative restoration projects. Although New York’s Great Lakes Action Agenda and state grant programs have been aimed to



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help address some of these pre-construction project planning needs, the availability of federal funds especially for potentially large or complicated projects would be especially valuable to helping achieve the performance targets contained throughout this draft plan.

I truly appreciate all your efforts to discuss and consider the state agencies feedback regarding this draft document. We here at NYSDEC look forward to continuing to work with you and our other federal partners to fully-realize the goals and measures identified in the final Action Plan.

Best regards,  
Don

**Don Zelazny**

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## Input from States and Tribes on Action Plan III

### Ohio

#### Focus Area 1: Toxic Substances & Areas of Concern

##### 1.1 Areas of Concern

Management Actions has been an emerging new approach to the AOC program since GLRI Action Plan II. In the Draft, Management Actions are not defined. Consider further description of a Management Action to further explain their effectiveness as a measure of progress.

While delisting of an AOC is not a specific measure of progress, further emphasis of it as a long-term goal to meet under Annex 1 is suggested.

##### 1.2 Share information on Great Lakes Consumption species.

Note, that State of Ohio's fish consumption advisories are now administered by the Ohio Department of Health.

The measure of progress indicates by "entities". Consider further criteria or definition of entities. This is a broad scale and to encourage focus and effectiveness across Great Lakes and species would be beneficial to further define entities.

##### 1.3 Annex 3. No comments

#### Focus Area 2: Invasive Species. No comments

#### Focus Area 3: Non Source Pollution Impacts on Nearshore Health

3.1.1 Is there intent to estimate P reduction across the basin for the stated annual goals in this section? What is the USEPA-GLNPO standard method for estimating the P reduction value of practices for Action Plan III targets?

3.1 or 3.2 (3.2.2) Consider inclusion of coastal wetlands restored and protected to reduce and treat nutrient runoff.

3.1.1 Does Measure 3.1.1 relate to an overall, all Great Lakes watersheds and all GLRI funds total? Or, is it a specific target related to the agricultural priority watersheds listed on page 15? How does this target relate specifically to the Annex 4 target for Lake Erie?

3.1.1 It will be helpful to include "universe" target in 3.1.1

3.1.2 Why are some of targets "NA" and some "TBD"? NRCS does surveys about this. Also OSU in Ohio has some survey data about rates of adoption that could be used.

3.1 (pg 16) Consider a two-stage ditch image or other practice be added to the stream to additionally illustrate bullet point 4.

3.3.1 A monitoring strategy has been established for Ohio's Lake Erie portion and Annex 4 may also have an established monitoring strategy for Great Lakes load monitoring. Has USEPA considered a numeric approach to this measure of progress with annual targets?

#### Focus Area 4: Habitat and Species

4.1.2 Miles of connectivity established for aquatic species. How was the baseline and targets determined?

#### Focus Area 5: Foundations for Future Restoration Actions

Item 5.2 Conduct Comprehensive Science Programs and Projects

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Integrated Project Management with Science and Projects. It is recommended to consider further emphasis on an integrated project management framework of the science and projects among the various Focus Areas. This can result in a sequenced project portfolio that: 1) maximizes linked benefits; 2) efficiently allocates available resources in a timely manner; and 3) ensures that cumulative benefits of funded projects meet desired goals. Application of Landscape Conservation Design Principles is an approach to link and maximize benefits to meet overall goals.

Encourage Investments on innovative strategies for Great Lakes Restoration. Finding solutions for the Focus Area Priorities and their adaptation will continue to require innovative ideas and approaches to solve Great Lakes issues and to continue to develop more effective on-the-ground projects. Encourage and invest in Programs that are focused on developing new innovative ideas and approaches to solve Great Lakes issues/problems.

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## Input from States and Tribes on Action Plan III

### Wisconsin

The State of Wisconsin strongly supports the Great Lakes Restoration Initiative and recognizes the significance of the opportunities afforded by the GLRI. We look forward to continuing to work toward Great Lakes restoration and protection by doing our part to implement GLRI Action Plan III (FY2020-FY2024) and appreciate the opportunity to comment on the draft plan dated September 2019. Outlined below are our recommendations and comments.

#### General comments

- Overall, we think the document looks good. We appreciate the concise and visual presentation of the information.
- We support the increased adoption of outcome-based measures of progress over measures that are based on completing numbers of projects.
- We agree with the spirit of the guiding principles on page 2; strong partnerships are essential for ensuring the success of the GLRI. In the spirit of fostering these non-federal partnerships, please consider replacing the word "consult" with "collaborate" and "solicit input" to "engage".
- Several of the Focus Area discussions include lists. As currently presented, this creates the impression of a fixed universe of opportunities rather than being flexible and adaptable as we understand is intended. It would be helpful to incorporate that intent into the text surrounding those discussions, and we have suggested some edits in the Focus Area-specific comments below. It may also be appropriate to state that intent in the introductory sentences to Action Plan III on page 2.
- The effects of coastal processes on overall health of the Great Lakes are an increasing concern, but this doesn't seem to be mentioned or highlighted. We recognize that projects may cross focus areas. We encourage incorporating language that recognizes this as a consideration in relevant focus areas.

#### Toxic Substances and Areas of Concern

- We support the approach of listing ten potential priority AOCs and narrowing the list to five during Action Plan III. We are working very hard to ensure that the Wisconsin AOCs on the list are strong contenders for inclusion in the short list of priority AOCs under Action Plan III.
- Please consider adding "... but are not limited to ..." in the middle paragraph on page 6, so that it reads as follows: "Management actions in these Areas of Concern will include, but are not limited to, remediating contaminated sediment and restoring habitat. ..."
- We support the strengthening of the connections between the Annex 3 work and the GLRI Action Plan objective and commitment for Chemicals of Mutual Concern. We hope that there will be funding opportunities to support the work that may be identified to address priority chemicals that may be in the nomination process under Annex 3. Consider adjusting the sentence before the list of CM Cs to "As of January 2019, the chemicals designated as Chemicals of Mutual concern are:"

#### Invasive Species

It would be helpful to clarify that the list of species on page 11 is a "living list," and does not represent a tightly defined set of priority species.

#### Nonpoint Source Pollution Impacts on Nearshore Health

- It may be helpful to clarify that measure of progress 3.1.1, "Estimated pounds of phosphorus reductions from conservation practice implementation," can be accomplished with basin-wide activities (and not just from the priority watersheds). Nine Key Element plans are important tools for accomplishing the nutrient reduction goals within watersheds. We recommend incorporating text within the discussion to highlight the importance of these plans.

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- We strongly support the inclusion of the Lower Fox River as a priority watershed and encourage consideration of Focus Area 3 funding for other areas, such as for the "slow the flow" initiative in the Lake Superior basin.
- We appreciate that the stormwater runoff objective and commitments include consideration of water quantity and encourage GLNPO to also make the connection to hydrodynamics and managing water quantity in the text associated with 3 .1 related to agricultural practices.
- Emerging science is showing that nitrogen may be a key factor in the toxicity of harmful algal blooms. We encourage GLNPO to maintain the flexibility to implement projects that may address nitrogen if it would lead to reduced toxicity of HABs. The commitments within Objective 3.3 are phrased more generally as nutrients; however, the measures of progress are focused on reductions in phosphorus. We encourage including nitrogen in the measure of progress, recognizing that mechanisms to track nitrogen reductions are still evolving and in the shorter term.
- Measure of progress 3.2.2 mentions protection of Great Lakes shoreline. We recommend that the text recognize the importance of coastal processes in nearshore health. Perhaps using an example of beach restoration would illustrate the need to consider these processes to build in resilience.

#### Habitats and Species

Objective 4.1 indicates that both aquatic and terrestrial species are to be protected and restored; however, Measure of Progress 4.1.2 includes targets only for "miles of connectivity established for aquatic species." We recommend considering the addition of an associated measure of progress for terrestrial habitat connectivity.

#### Foundations for Future Restoration Actions

- We appreciate the recognition of the importance of monitoring and adaptive management.

In conclusion we wish to stress that we support the Great Lakes Restoration Initiative and the State of Wisconsin looks forward to partnering with U.S. EPA, other federal agencies, and local partners to promote Great Lakes restoration and protection. Thank you for considering our comments.

Sincerely,  
Stephen Galarneau, Director  
Office of Great Waters, Wisconsin DNR

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## Input from States and Tribes on Action Plan III

### 1854 Treaty Authority

Director Korleski,

The 1854 Treaty Authority respectfully submits these comments regarding the GLRI Action Plan III. The 1854 Treaty Authority is an inter-tribal natural resource management agency governed by the Bois F01te Band of Chippewa and Grand P01tage Band of Lake Superior Chippewa, both federally recognized tribes. The organization is charged to preserve and protect treaty rights and related resources within the 1854 Ceded Territ01y, which includes a portion of the Lake Superior basin. Bands continue to exercise treaty rights to hunt, fish and gather in the 1854 Ceded Territory. It is vital that resources are available and healthy for the meaningful use of treaty rights.

The 1854 Treaty Authority recommends the addition of moose to the list of priority species under focus area 4 of GLRI Action Plan III. Moose (Mooz) are a culturally significant resource to the Anishinaabeg in the Great Lakes region traditionally utilized for subsistence. Moose have been an important source of food and used for cultural and spiritual purposes. Moose population declines in the Great Lakes region and in northeastern Minnesota have been well documented. Recent research indicates that parasites and disease, habitat loss, and predation contributed to moose population declines. Futher research is needed to evaluate ongoing habitat restoration and management strategies targeting the reduction of parasites, increasing browse and imp01tant critical habitat, and reducing moose predators. Current and proposed moose restoration activities fit under focus area 4 to "Protect, restore, and enhance habitats to help sustain healthy populations of native species". Moose should be listed as a priority species to allow for greater collaboration and large-scale restoration work in the Great Lakes region.

Tribal moose researchers are concerned for the long-term future of moose, especially given observed and expected climate trends, and are committed to making a positive impact on moose populations imp01tant for cultural, economic, and subsistence practices. Because tribes have geographically defined reservation boundaries and treaty areas, they cannot simply change location to follow shifts in range or availability of resources. Once a resource is lost within treaty boundaries, it is a permanent loss to the tribes and their culture. The potential loss of moose in the Great Lakes region would not only be the loss of a traditional food source, but also the loss of an important traditional practice. We remind the U.S. EPA about its tribal trust responsibility to maintain and protect treaty resources and suggest further language in the GLRI Action Plan III to supp01t tribally-defined imp01tant species such as moose.

Sincerely,  
Darren Vogt  
Resource Management Division Director  
1854 Treaty Authority

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## Input from States and Tribes on Action Plan III

### Grand Portage Band of Lake Superior Chippewa

As stated during a webinar forum on March 21, 2019 the Grand Portage Band of Lake Superior Chippewa would like to further its comments on the GLRI Action Plan III. Under focus area 1, we support increased knowledge of "other chemicals" beyond the list of specific Chemicals of Mutual Concern. Results from this work will likely guide consumption advisories (fish, wildlife, and plants) in the future. We are pleased to see the clarification that rural communities are included for the reduction of untreated storm water runoff under focus area 3. Developing new approaches to reduce non-point source pollution with measures to evaluate different methods will be extremely helpful for small rural communities with modest financial resources for mitigation. We are glad to see wild rice listed as a GLRI priority species under focus area 4. We strongly recommend adding moose to the GLRI list of priority species and briefly described below.

Moose have immeasurable cultural importance not only to members of the Grand Portage Band of Superior Chippewa, but also to all Anishinaabeg in the Great Lakes region. Declines in moose populations in the U.S., specifically in the Great Lakes region, have triggered a petition for listing under the Endangered Species Act of 1973. Recent research indicates that parasites and disease, habitat loss, and predation contributed to moose population declines. Further research is needed to evaluate ongoing habitat restoration and management strategies targeting the reduction of parasites, increasing browse and important critical habitat, and reducing moose predators. Results from this work will shape best management practices to aid in the recovery of moose in the Lake Superior region. Current and proposed moose restoration activities fit under focus area 4 to "Protect, restore, and enhance habitats to help sustain healthy populations of native species". Highlighting moose as a Threatened and Endangered priority species may enable greater collaboration between state, federal, and tribal agencies needed for large scale restoration work.

Tribal moose researchers are concerned for the long-term future of moose, especially given observed and expected climate trends, and are committed to making a positive impact on moose populations important for cultural, economic, and subsistence practices. Because tribes have geographically defined reservation boundaries and treaty areas, the potential loss of a resource even at small spatial scales can have devastating impacts resulting in a loss culture. We encourage stronger language in the GLRI Action Plan III to support tribally-defined important species and remind the U.S. EPA about its tribal trust responsibility to maintain and protect tribal treaty resources into perpetuity.

Sincerely,

Tony Swader  
Trust Lands Administrator  
Grand Portage Band of Lake Superior Chippewa

.....

## Input from States and Tribes on Action Plan III

### Great Lakes Indian Fish and Wildlife Commission Comments on a GLRI Tribal Program and the GLRI Action Plan III

The staff of the Great Lakes Indian Fish and Wildlife Commission (“GLIFWC” or “Commission”) appreciate the chance to provide comments on the draft of the Great Lakes Restoration Initiative’s Action Plan III (“Action Plan” or “APIII”). Staff from the EPA’s Region 5 worked closely with tribal and intertribal staff in developing APIII, and the attention and respect paid to comments that were provided through the process can be seen in some improvements over APII. That said, staff do see a chance for addressing some issues in APIII prior to its release for public comment.

After some general comments, the comments provided below are arranged in order of Focus Area.

#### **General Comments:**

##### **1. Coordination – Inclusion of Lake Partnership Plans and Strategies**

One of the great successes of the GLRI is that it provides a central gathering point for coordinating and prioritizing restoration and protection activities for all governments on the U.S. side of the Great Lakes basin. By helping to direct activities in the basin, the GLRI allows for a more streamlined process, helping to avoid duplication of efforts, and to hopefully build upon the work and successes of each participant. One way to increase such efficient coordination of efforts is to ensure that the GLRI uses information and management plans that have already been developed by relevant jurisdictions. Previous administrations had placed an artificial divide between activities undertaken through the GLRI and those undertaken under the auspices of the Great Lakes Water Quality Agreement and other interjurisdictional Great Lakes initiatives. Such a divide overlooks existing plans when developing GLRI priorities and funding categories. Now that this divide no longer exists, Action Plan III provides an important opportunity to provide links between these documents and the GLRI, allowing for more efficient coordination. For example:

- **Lakewide Action and Management Plans.** For Lake Superior, the LAMP was drafted by the Lake Superior Partnership Work Group, which is made up of federal, state, and tribal agency representatives, and provides a list of the highest priority actions and commitments each agency made to undertake those actions. In this way, the Lake Superior LAMP provides management priorities that already have important coordination and buy-in from each of the agencies represented on the Work Group. By tying the LAMPs to the Action Plan, the GLRI can play an important role in making significant progress towards these already vetted and coordinated priorities.
- **The Biodiversity Conservation Strategies.** Again, for Lake Superior, the Biodiversity Conservation Strategy (“BCS”) identifies the threats facing the biodiversity of the Lake and its associated ecosystems, including scaled-down “Regional Unit” plans that address the threats that are unique to twenty regions that make up the Lake Superior basin. This Strategy was developed by members of the Lake Superior Partnership Work Group and has the buy-in and support of all federal, state, and tribal agencies represented on the Work Group. The information provided in the BCS can be used to design projects to address the threats facing the Great Lakes, and would reduce the need for any such evaluation step for future GLRI projects.

While GLIFWC staff have experience only with the Lake Superior Partnership Work Group, we recommend that the plans and strategies developed by all of the Lake Partnerships be expressly supported by the APIII. By tying plans and strategies that have already identified threats and priority actions that have been developed by the Partnerships to the APIII, GLRI participants can turn to vetted



## Input from States and Tribes on Action Plan III

and coordinated plans and actions to develop projects, increasing interjurisdictional collaboration and efficiency. Tying these strategies and plans to the APIII also clearly shows that the GLRI is supporting all levels of government in developing the priorities that are important to their communities.

Below is one specific suggestion on how the LAMPs can be included in the Action Plan, generally:

- The GLRI's guiding principles (page 2) offer a nod to the LAMPs. Under the "Partnerships and Engagements" principle, AP III states, "[t]he GLRI agencies will continue to consider priorities identified through the Lake Partnerships and other Great Lakes Water Quality Agreement activities as part of the annual planning process." This principle could be greatly strengthened by specifically mentioning the Lakewide Action and Management Plans, and strengthen their importance to the GLRI process. Mere consideration is not strong enough.

- *Suggested Language:* That principle could be edited to read, "The GLRI agencies will continue to look towards the Lake Partnerships to guide priorities, including those identified in Lakewide Action and Management Plans and Biodiversity Conservation Strategies."

### 2. Protection

While in principle most GLRI agencies agree that protecting the quality and health of the Great Lakes and their ecosystems is an important part of the GLRI, in practice it has been hard to find support for some activities that are considered to be protective. Protection is especially important in Lake Superior, which is still considered to be one of the most pristine of the Great Lakes but which is facing significant and increasing threats, as well as to tribes, who generally manage resources based on the principle that those resources must be maintained for generations seven generations in the future. While there seem to be several reasons for this difficulty, part of the difficulty comes with lacking satisfactory metrics for tracking the success of protection activities beyond "acres" and "miles." Tribal and intertribal staff worked closely with GLNPO staff to increase the flexibility of some Measures of Progress so that protective actions can receive support. However, additional support can be achieved by adding specific language with regards to ecosystem function health.

A small group of the Lake Superior Partnership Work Group has spent the last couple of years wrestling with the idea of tracking protection activities. Through this work, one thing that became apparent is that the most commonly identified important element of protection is the protection of ecosystem functions. It also became apparent that, despite its identified importance, activities that protect ecosystem functions are undertaken at a frequency far below land acquisition activities. Very little in the GLRI supports a direct link between either protection or restoration and ecosystem functions.

Through the last 9 years of GLRI implementation, Great Lakes managers and experts have had a chance to see and understand the implementation of the Initiative, and to notice any gaps. One gap has been with support of protection, generally, and protection of ecosystem functions specifically. Including ecosystem functions in the goals of the APIII could help provide support for those who wish to pursue projects to restore or protect ecosystem functions who have previously found it difficult to find support.

- *Suggested language:* The last of the "Long-Term Goals" on page 1 of APIII could be edited to read, "Habitat protected and restored to sustain healthy ecosystem functions and native species." Support of ecosystem functions can also be a consideration for Focus Area 4, which will be discussed below.

### 3. Language that reflects Sovereign Status of Tribes

In the current draft Action Plan, Focus Area 2 includes the following language: "Agencies will continue to implement control projects in national forests, parks, tribal reservation land, and wildlife refuges where

## Input from States and Tribes on Action Plan III

they have direct implementation responsibility.” The following sentence then states, “[t]hese federal land management agencies will continue to partner with states and neighboring communities....”

The first sentence can be interpreted as the Action Plan recognizing that federal agencies have implementation authority within tribal reservation land. That is incorrect – tribes have primary implementation authority within reservation boundaries. The draft Action Plan should not include language that could be interpreted to imply otherwise. The problem is then compounded by the following sentence, which suggests that the federal government will be implementing these control projects with states.

- *Suggested language:* “Agencies will continue to implement control projects in national forests, parks, wildlife refuges, and other federal lands where they have direct implementation responsibility. These federal land management agencies will continue to partner with states, tribes, and neighboring communities....”

### Focus Area 1:

Generally, the language of Focus Area 1 seems to cover much of what is important for the restoration of the Great Lakes basin from toxic substances. However, it has been made clear that the EPA intends to focus the vast majority of its non-AOC Focus Area 1 support on Chemicals of Mutual Concern (“CMCs”). While we are sensitive to the fact that CMCs have the weight of the GLWQA behind them and that there is limited funding, we strongly disagree with managing the GLRI with the presumption that the majority of non-AOC funding must be dedicated to work on the CMCs for the reasons below.

- Once again, while it is stated that protection is an important element of the GLRI, in practice it has been hard to find support for true protection activities. Chemicals is one place in which this risk being borne out. While the GLRI chemicals support has focused overwhelmingly on the restoration of Areas of Concern, work that is important and necessary, new chemicals are being discovered in the Great Lakes any time the effort is undertaken to look. Very little is known about these newly-discovered chemicals, and they far outnumber the CMCs that exist in the lakes.

- Directing all non-AOC chemical funding to 8 CMCs will delay and hinder research into the toxicity of these other emerging chemicals, making it difficult to take a preventative approach to chemical research and management, and undermining the premise that protection of the quality of water in the Great Lakes is an important element of the GLRI. The preventive approach is something that is supported in the GLWQA, and is especially important in remote parts of the Great Lakes basin, like many areas around Lake Superior.

- In addition, the review and potential designation of chemicals that are nominated to be CMCs has been unduly long. Waiting for more designations would unreasonably delay research and management actions on other chemicals that risk human health and water quality.

GLIFWC staff recommend that the intent to focus non-AOC Focus Area 1 funding on CMCs be relaxed in implementation to allow for rapid response to chemicals that are emerging or about which new information is gathered that points to their toxicity. Working through the GLRI to begin to evaluate new threats would be a quicker mechanism to understand and disseminate information about any chemical of concern in the Great Lakes.

At the very least, chemicals that were nominated as CMCs, the evaluation for which has been stalled in the Annex 3 Subcommittee for several years, should be included as CMCs for the purposes of GLRI funding. These chemicals were nominated due to already-existing significant concerns, and any support for work on these chemicals should not be delayed due to the unrelated issues associated with the review process of the Annex 3 Subcommittee.

## Input from States and Tribes on Action Plan III

- There are a number of legacy chemicals that remain in the Great Lakes that require action. They are well-known, so do not need the kind of gap analysis envisioned by the APIII. These chemicals pose a significant threat to human, plant, and wildlife health and undermine the General Objectives of the GLWQA and the principles of the GLRI. Some focus should be maintained on these legacy chemicals.
- Restrictions to chemical issues that relate to CMCs will limit research of chemicals that are of local or regional concern, even if they are not a concern throughout the Great Lakes basin.

### Focus Area 2:

Limitations to In-Basin Treatment: With regards to Focus Area 2, GLIFWC staff has a concern strictly limiting terrestrial invasive species work to the Great Lakes basin. Populations of terrestrial invasive species do not respect watershed boundaries, and can spread to the basin from locations just outside. Especially for those areas of the basin that do not have a wide watershed, or are located along busy transportation corridors, the flexibility to provide rapid response to identified populations is imperative to preventing the spread of these species to the basin. Allowing the introduction of these species increases the likelihood of establishment of invasive species, and makes treatment and eradication much harder and less likely to be accomplished. GLIFWC staff would recommend that APIII allow for the flexibility to treat terrestrial invasive species that have been identified in locations outside of the basin but that are likely to spread to the basin.

Measure of Progress 2.2.1: “Aquatic/terrestrial acreage controlled.” While measures of progress that include acres seem to provide easily trackable and quantifiable ways to track progress, this MOP can be difficult to achieve. GLIFWC has a well-established and highly successful terrestrial invasive species program. Once an invasive species is established, it is much harder to eradicate. Therefore, it is the goal of the GLIFWC program to deploy rapid response as soon as terrestrial invasive species are identified, which means that many times treatment is applied to many small populations using an integrated pest management approach. Individually, these small populations do not amount to much in terms of acreage, but in the grand scheme, these efforts protect vast number of acres from further infestation while maintaining the ecological integrity of the Great Lakes basin. Therefore, some of the important work being undertaken in this objective can be hard to convey or quantify with regards to the “acreage controlled” MOP. We recommend that reporting on the MOP clearly include the guidance that acreage includes acreage protected from the threat of invasive species spread.

### Focus Area 4:

Protection:

As stated above, almost 9 years of GLRI implementation has shown us where the gaps are. One area in which tribes have had significant trouble getting support is for many protection-oriented projects that are not the purchases of easements or other land-ownership transactions.

- One way in which APIII could provide support for these types of activities is by linking more closely with the LAMPs. As also stated above, the LAMPs have already identified the management actions that are of the most importance to the represented governments. For Lake Superior, these priorities include protection. Using LAMPs and other Lake Partnership products supports the APIII’s commitment to build upon past GLRI investments, and relying on collaborative partnerships. ○ *Objective 4.1* should include a direct link to the LAMPs as a way to create a closer tie to the LAMPs and support the LAMP priorities. The Objective’s commitment could be edited to read, “Use Lakewide Action and Management Plans and other Lake Partnership management documents to identify, restore, and protect habitats and provide habitat connectivity to support important species and associated habitats.” Allowing GLRI partners to pull from the wealth of work already undertaken through the auspices of the GLWQA improves efficiency and supports work that already has significant lakewide buy-in.

## Input from States and Tribes on Action Plan III

- *Objective 4.2* could also include a specific tie to the LAMPs. It could be edited to read, “Increase resiliency of species through comprehensive approaches that compliment on-the-ground habitat restoration and protection, including those priorities identified in Lakewide Action and management Plans.”
- APIII could also support protection by directly supporting the protection of ecosystem functions. As stated above, the protection of ecosystem functions has been identified as one of the top priorities for protecting the Great Lakes system as a whole, and it has been identified as something that is not currently being sufficiently undertaken as governments struggle to fit the previously-narrow MOPs within the GLRI Action Plans. Protecting ecosystem functions should be made explicit within the APIII. ○ The commitment of *Objective 4.1* could be edited to read, “Use Lakewide Action and Management Plans and other Lake Partnership management documents to identify, restore, and protect habitats and ecosystem functions and provide habitat connectivity to support important species and associated habitats.”

With regards to species of importance within this Focus Area, GLIFWC staff has one general and one specific comment. Specifically, GLIFWC staff supports the request of the Grand Portage Band of Lake Superior Chippewa for the inclusion of moose on the list on page 24 of APIII. Moose are culturally important species to the Band, and one currently facing significant threat. Generally speaking, tribes must be consulted on any list of species that receive focus under Focus Area 4.

GLIFWC staff also support the request of the Sault Ste. Marie tribe that boreal habitats should be specifically recognized within the APIII as important habitats, because of the fact that their resiliency and sustainability is currently under question.

### **Focus Area 5:**

GLIFWC staff have repeatedly expressed discomfort about the limitation Focus Area 5 places on educating only educators and youth. While it is important that youth be educated regarding the importance of and threats facing the Great Lakes, it is just as important for adult community members to be educated. While youth will make the decisions tomorrow, current decisions are being made and behavior influenced by today’s adults. Having a greater understanding of the threats to the quality of the Great Lakes and their ecosystems and how behavior can influence those threats could produce significant changes in the behavior of these community members. Educating all communities should not be discounted as having the ability to substantially support the goals of the GLRI.

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## Input from States and Tribes on Action Plan III

### Red Cliff Band of Lake Superior Chippewa Comments on the Draft GLRI Action Plan III

Dear Director of Great Lakes National Program Office,

The Red Cliff Band of Lake Superior Chippewa, Miskwabekaang, respectfully submits the following comments regarding the Draft GLRI Action Plan III (the Plan):

Miskwabekaang recommends that indigenous languages are integrated into the Plan. There are nearly 30 tribal nations within the Gichigami (Great Lakes) Basin including Anishinaabe and Haudenosaunee people. English is the only language used in this document with no attempt to include Ojibwemowin (the Ojibwe language), Kanien'keha (the Kanien'kehaka, Mohawk, Language) or other languages of the indigenous peoples that have lived along across the Gichigami Basin since either time immemorial or forced relocation. We believe that incorporating a mix of traditional languages (such as describing names of locations, types ofgiigoonhyag (fishes), the wellness of nibi (water) or types of mitigoog (trees)) will strengthen the culturally responsive component of this document. Continuing this idea of incorporating and respecting indigenous cultures, we strongly encourage that Traditional Ecological Knowledge is integrated into every objective. The Anishinaabeg have been stewards of Anishinaabewi Gichigami (Lake Superior) as long as we have lived here. We lived harmoniously with our inawemaaganag (relatives) for hundreds of years prior to colonization by following our teachings to guide our actions in a good way.

Similarly, the Plan states that GLRI resources are being used by agency base budgets (page 1).

Miskwabekaang has the following questions and concerns regarding this specific matter. We would like to know how much GLRI funding has been passed to other federal agencies and retained by those agencies for augmenting their programs. Tribal nations ceded much of the Gichigami Basin to the United States of America. Many of the treaties that ceded territory include the retention of treaty rights ensuring that native communities are able to maintain their traditional roles of aki (land) and nibi stewards. Currently, tribes are eligible to compete for the majority of GLRI grant programs and have exclusive access to the BIA GLRI competitive pot, however this does not suffice for several reasons. For Miskwabekaang, nearly the entire portion of the Anishinaabewi Gichigami Basin (in the United States) lies within reservation and/or ceded territories. A large portion of the upper lakes are recharged through tribal lands. The limited amount of tribal-only funding available from BIA via their inter-agency agreement is not proportionally representative of the tribes' management role and authority. The EPA and the other agencies clearly recognize how important it is to have stable funding to develop, grow, and sustain a program. While the competitive funding has been incredibly important to Miskwabekaang, tribes should have access to a guaranteed, consistent and proportional quantity (in regard to the amount of treaty territory that resides within the Gichigami Basin) ofGLRI funding. Such guarantees would allow for tribes to better plan and execute protection and restoration initiatives that are inline with traditional roles of aki and nibi stewards.

Along the same lines of tribal sovereignty and our role as traditional stewards, we would like to raise concerns with the language of "federal agencies will continue to identify and implement the programs and projects that will best advance progress toward achieving long-term Great Lakes goals ... " (page 2). Tribal partners should be included in these discussions every step of the way rather than having access to a brief comment period. Furthermore the "principles guide GLRI planning and implementation" box's Partnership and Engagement section reiterates this concern. The language of " .. support tribal priorities that are consistent with GLRI goals and objectives" undermines tribal sovereignty. If tribal priorities do not align with federal priorities they will not be funded. Dedicated allocation ofGLRI funds to tribes would allow us to meet tribal goals whether or not they are federal priorities. The Project Sustainability reference to "encourage project stewardship to promote the sustainability and long-term benefits of

## Input from States and Tribes on Action Plan III

projects" reiterates the point that tribes should have exclusive access to portions of GLRI funds to be able to maintain long-term stewardship projects that align with our traditional ways.

Miskwabekaang would like to see either a larger emphasis on prevention and protection as a theme in the Plan or its own Focus Area. GLRI Action Plan I specifically recognized the value of protection and stated that "for the purposes of this Initiative, restoration includes ecosystem protection, enhancement, rehabilitation and remediation ... Restoration of degraded, damaged or destroyed water and lands is more costly than protection of resources before damage occurs. Therefore, this Initiative recognizes the wisdom of supporting ecological protection. Protection is defined as actions taken to prevent stress to ecosystems" (page 8, GLRI Action Plan I). While we recognize that parts of this plan do address protection, it does not seem to go far enough. The name (sturgeon) recovery in the Menominee River is mentioned, however this plan seems to include little protection of these sacred inawemaaganag from the proposed Back 40 Mine along the shores of the Menominee River. Similarly, despite the efforts to "maintain restore and enhance" (page 24, draft GLRI Action Plan III) manoomin (wild rice), it is unclear what the Plan will do to address numerous industry threats to this sacred inawemaaganag (relative) such as the Minntac Mine, which has decimated the manoomin on the nearby Twin Lakes. Miskwabekaang recommends either more heavily incorporating prevention and safe guarding the sacred nibi and our inawemaaganag or creating Focus Area 6 to address these concerns.

For all Measure of Progress with Annual Targets the meaning of the word "Universe" is unclear and should consider including an explanation, definition or rewording it. Below are Focus Area specific comments:

### Focus Area 1

- Objective 1.2: This objective seems to be responsive to tribal input, but while it emphasizes sharing of information it doesn't clearly state that the collection of the information will be funded. We also recommend considering another Measure of Progress, 1.2.2 that tracks projects evaluating health benefits and/or contaminant levels in other wildlife and plants.
- Objective 1.3: This objective doesn't explicitly include monitoring for and evaluating impacts of other chemicals of emerging concern such as Deet or various pharmaceuticals, which are a concern of several tribes as voiced in a conference call on March 2Pt, 2019.

### Focus Area 2

- Objective 2.1: Miskwabekaang is concerned that this objective will prioritize projects that plan response exercises since that is a sure way to meet progress target numbers. It is important to provide support to projects that are prepared to enact rapid responses as well. Direct allocation of GLRI funds to tribes to maintain an invasive species program provides better capacity to detect and rapidly respond to a new bakaan ingoji ga-ondaadag (non-local/invasive beings) compared to applying for uncertain funding to design and implement a surveillance program and then needing to apply for additional funding to address any bakaan ingoji ga-ondaadag that may be detected.
- Objective 2.3: It will likely be hard for Miskwabekaang specifically, and tribes generally, to compete against universities or state / federal agencies based on capacity. Measure of Progress 2.3.2 is good, but it is important to remember that tribes often have needs to address issues on reservation lands where no other agencies have jurisdiction and/or wish to address tribal priority species that don't garner interest from outside partners. It is also important to monitor or address local relatives /species that may act invasively as the environment continues to alter due to climate change.

## Input from States and Tribes on Action Plan III

### Focus Area 3

Objective 3.1: Miskwabekaang is concerned that we will be excluded from funding for this objective because much of our community and the surrounding area is not considered agricultural or would rank highly compared to other regions. These efforts to reduce phosphorus are often aimed at reducing algal blooms, which have historically been a problem in other lake basins. In the past several years, Anishinaabewi Gichigami has seen an increase in algal blooms, specifically in the areas around Miskwabekaang, and addressing nutrient inputs from contributing watersheds is crucial before we reach the tipping point.

Objective 3.2: Miskwabekaang could have projects in this area, however the reference of "watershed plans" is a concern. These plans can be resource intensive and burdensome to complete and for Miskwabekaang much of the watershed is outside of reservation boundaries. It is important to realize that beneficial projects at a local level can be designed and implemented without the need to spend time and money on a watershed level plan first.

### Focus Area 4

- Objective 4.1: Identifying habitats is included as a commitment, but there is not a corresponding Measure of Progress with Annual Target. "Identifying key habitats" is listed as an expected outcome of Objective 4.2 (page 24, draft GLRI Action Plan III), but "identify, restore and protect habitats" is a commitment of Objective 4.1 (page. 21, draft GLRI Action Plan III). Would the expected outcome of "identifying key habitats" fit better under Objective I?

- Objective 4.2: Miskwabekaang would like to note that this is an example of tribal input being recognized and projects will be considered that address tribal priority species that may not be on other lists. We would like moose (moose), waabizheshiwag (martens), omashkoozoog (elks), ma'iinganag (wolves) and other culturally important inawemaaganag added to this list. We are also concerned about Measure of Progress 4.2.1 Species benefited where actions have been completed to significantly protect or promote recovery. We would like for population concerns to be considered at the local level and not just at the regional level. For instance, a population for a specific inawemaagan may be of concern on-reservation or in Anishinaabewi Gichigami, but the population of said inawemaagan across the entire Gichigami basin may not be seen as a concern. We would recommend changing Measure of Progress 4.2.1 to The number of management outcomes that directly benefit a cultural, subsistence or economic valued species. This objective talks about resiliency, which implies that climate change considerations would be included. Would this also allow funding of projects that may pursue adaptation such as the potential shift in species composition or habitat? Also, the mention of targeting "projects based on consensus-based" is a concern because the development of these plans does not necessarily reflect traditional tribal decision and management processes that emphasize oral traditions. Again, for on-reservation issues, there may be no need or desire to bring in other partners to develop consensus, which has been concerns raised with BIA, EPA and USFWS over the years when discussing grant programs. A concern related to this is BIA's GLRI competitive grant program for tribes shifting toward a typical federally structured process - emphasizing partnerships, matching funds, written management plans, climate considerations, consideration of state/federal priority species/goals, etc. and increasingly ignoring the tribal sovereignty in setting and acting upon tribal priorities.

o The Compare APII and APIII-February 2019 document states that "discussions with partners regarding capacity and future project interests indicated lower potential project opportunities compared to previous years" (page. 3). Does this mean there will be significantly less funding available for Focus Area 4.1? This is a concern because to our knowledge, tribal funding and project requests related to this focus area under BIA's Tribal Grant program have always exceeded funding availability.

## **Input from States and Tribes on Action Plan III**

### Focus Area 5

Objective 5.1: Miskwabekaang recommends that a principle be added to The Great Lakes Literacy Principles that address the indigenous peoples' of the Gichigami Basin. Currently, there is not any educational component of the Great Lakes Literacy Principles that reference indigenous peoples' of the Gichigami Basin, our current role as nibi and aki stewards, migration stories or other information that gives a historically accurate picture of the region.

We remain committed to protecting the nibi (water), aki (land), and air of our current and ancestral homelands for our people and the generations to come. Preserving the environment means preserving our treaty rights and our traditional life ways. Miigwech (thank you) for the opportunity to submit comments. Questions and follow-up can be directed to Linda Nguyen, Red Cliff Environmental Director, at [linda.nguyen@redcliff-nsn.gov](mailto:linda.nguyen@redcliff-nsn.gov) or 715-779-3650.

Sincerely,

Richard A. Peterson  
Tribal Chairman  
Red Cliff Band of Lake Superior Chippewa

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## Input from States and Tribes on Action Plan III

### Saginaw Chippewa

This letter is in response to the request for tribal consultation on the Great Lakes Restoration Initiative (GLRI) Action Plan III (AP3). The Saginaw Chippewa Indian Tribe of Michigan's (Tribe) supports many of the proposed changes to AP3. However, the Tribe would like to address a couple areas of concern to strengthen this Plan.

**The Tribe recommends improvements to:**

- *Focus Area 3. Nonpoint Source Pollution Impacts on Nearshore Health. Objective 3.1 Reduce nutrient loads from agricultural watersheds* (p. 15-16). It is recommended that you include the measure from Action Plan II, "Number of GLRI-funded nutrient and sediment reduction projects in targeted watersheds (measured in acres). The new proposed measure of progress estimating pounds of phosphorous reduction can be very difficult to track and lead to inaccurate conclusions without including complex modeling work in every project. The previous measure is a more accurate method for reporting for many of these projects because of the complexities and additional costs involved with estimations.
- *Focus Area 3. Nonpoint Source Pollution Impacts on Nearshore Health. Objective 3.2. Reduce untreated stormwater runoff* (p. 17-18). It is recommended that you include the measure of progress from Action Plan II, "Number of GLRI-funded projects implemented to reduce the impacts of untreated urban runoff on the Great Lakes." This would all allow for more accuracy in reporting due to the challenges measuring pounds of pollution reduced poses.
- *Focus Area 5. Foundations for Future Restoration Actions. Objective 5.1. Educate the next generation about the Great Lakes ecosystem* (p. 25-26). It is recommended that you expand the scope of this education component to include all ages with the possibility of an emphasis on youth or whole family inclusion. Youth tend to adapt behaviors based on family or community behaviors. Specifically, in our community, it has been found that when the community becomes aware of the how actions are effecting the environment they start to make changes when given some direction. Therefore, it is necessary to expand these outreach efforts to the general population.

The Tribe is supportive of the changes to the following areas:

- Operating principles
- All changes to Focus Area 1, 2, and 4
- Parts of Focus Areas 3
- Parts of Focus Area 5

Overall, the proposed changes reflect the needs in the Tribal community and other community needs that the Tribe has recognized through its partnerships. Some of the strengths we see in AP3 are the:

- Appropriate reflection in more complicated Areas of Concern ("AOCs") due to issues we see today. Having approved management action lists is of utmost importance to the effectiveness of the public advisory council and other partners in removing beneficial use impairments and delisting AOCs. (Focus Area I)
- Increased emphasis on providing information to vulnerable populations about consuming wildlife and harvested plant resources (e.g. wild rice). (Focus Area I)
- Appropriate shifts in commitment to focus on acquiring increased knowledge about specific Chemicals of Mutual Concern identified pursuant to Annex 3. It is important that the Objective leaves room for increasing knowledge about non-Annex 3 chemicals, which it has done. There are other chemicals that communities may be concerned about or that arise later that are not on this list but have a potential to impact human or environmental health. (Focus Area I)
- Inclusion of terrestrial invasive species and emphasis on the quality of control efforts, rather than quantity, resiliency, and project sustainability. Because of the interconnectedness of terrestrial and aquatic health, terrestrial invasive species can have significant influences on the health of the

## Input from States and Tribes on Action Plan III

Great Lakes. (Focus Area 2)

- Emphasis on evaluating effectiveness of non point source projects and developing new approaches for managing runoff. (Focus Area 3)

- Emphasis on tribal and Great Lakes native species of importance. The Tribe approves of the list of sixteen priority species to the Great Lakes listed in the text box on page 24. (Focus Area 4)

- Integration of climate resiliency and adaptive management more generally under the "project sustainability" and "science based adaptive management" operating principles. (Operating Principles)

The Tribe recommends that AP3 be approved, with the suggested changes.

Sincerely,

Ronald Ekdahl, Tribal Chief  
Saginaw Chippewa Indian Tribe

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## Input from States and Tribes on Action Plan III

### RE: Saint Regis Mohawk Tribe (SRMT) Environment Division Comments to Draft Great Lakes Restoration Initiative (GLRI) Action Plan III (Plan).

She:kon/Greetings Mr. Korleski:

The Saint Regis Mohawk Tribe (SRMT) Environment Division is pleased to have the opportunity to participate in the Webinar on March 12, 2019 and provide the comments below on the draft Great Lakes Restoration Initiative (GLRI) Action Plan III (Plan). We apologize for not being available to join the Webinar on March 21<sup>st</sup>, as we were invested that day in the *Fish Habitat Evaluation and Restoration Workshop* for the St. Lawrence River Area of Concern at Massena/Akwesasne. The SRMT Environment Division is also in receipt of a copy of your March 8, 2019 letter to Don Zelazny, NYSDEC in regards to EPA's concurrence to the Department's December 6, 2018 proposed administrative changes relating to the coordination of Remedial Action Plan (RAP) management between the State (NYSDEC) and Tribe (SRMT). The proposed administrative changes were developed over a long period of time (i.e. years) and consultation efforts, and some of the comments below reflect lessons learned from that partnership and consultation process that may improve some of the language related to the principles, objectives, commitments, and measures of progress of the draft GLRI Action Plan III. Please see General and Specific comments submitted on behalf of Saint Regis Mohawk Tribe (SRMT) Environment Division below.

#### General Comments:

1. Overall, the revisions provide new language that acknowledge Tribal consultation and self-determination, Traditional Ecological Knowledge (TEK), and Tribal cultural use species that was not present in GLRI Action Plan II. These changes alone are favorable and an improvement for draft GLRI Action Plan III, reflective of the Federal Agencies improved consultation roles with Tribes in the drafting of this document. However, some improvements can still be made.

2. Based on SRMT's lessons learned during the drafting of the Lake Ontario Lakewide Action and Management Plan 2018-2022 and the proposed December 2018 Administrative changes for the St. Lawrence River Area of Concern (previously at Massena, now at Massena/Akwesasne), maps of the Great Lakes Basin that demonstrate Tribal Territory (reservation and Treaty Rights) is critical for Federal and State Agencies engaging in effective consultation, respect of sovereign jurisdiction, and partnership development with Tribes. A map of Tribal territories is also a useful tool for partnership development with non-Federal non-State partners (i.e. academics, non-profits, etc) who desire to conduct restoration work/research in Tribal territory. This Plan, and other Great Lakes documents (and past Great Lake Public Forum presentations) lack a comprehensive Great Lakes Basin map inclusive of Tribal Territories. This Plan would benefit from a figure as such, and should be tied to the section on Partnership and Engagement Principle as outlined on page 2. Please see draft Lake Ontario Lakewide Action and Management Plan Figure 4. Indigenous communities in the Lake Ontario, Niagara River, and St. Lawrence River basins as an example of how Tribal Territories could be included in a comprehensive Great Lakes Basin map for this Plan prior to public comment. It is important the public is aware of where the Tribal Territories are located in the Basin.

#### Specific Comments:

1. Focus Area 1. Toxic Substances and Areas of Concern, Objective 1.2 (and associated measure of progress). It is unclear to SRMT reviewer what the "entities" in measures of progress will entail and how it will be meaningful to Tribes.

2. Focus Area 2. Toxic Substances and Areas of Concern, Objective 1.3 -better

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understanding of routes of exposure for sensitive populations and Tribes regarding cultural uses of harvested plants resources for medicinal and traditional food use needs to be incorporated in this section and tied to Objective 1.2. Significant work in partnerships with Tribes and application of TEK still need to be done to best understand this and communicate risks that may be cultural in nature due to plant harvesting/consumption.

3. Focus Area 4. Habitat and Species -the inclusion of species of cultural and subsistence importance for tribes is a very important and appreciated addition to Focus Area 4. Language in this section should be added to clearly identify that restoration projects of habitat and species of tribal cultural significance may also be closely tied with ceremony, songs, and oral traditional teachings of protection of plants and animals. Therefore, TEK may be a restoration technique (i.e. re-plantings with the song and traditions for a tribal community) used for recovery, protection, or restoration of habitat and species. This concept is often hard for the scientific community to understand, because it is rooted in restoring both the species populations and the relationship of people to plants and wildlife that is not measured by standard scientific methods.

4. Focus Area 4. Habitat and Species (pg. 24) -several species were listed that may benefit, including, "*Native fluvial mussels*". SRMT scientist staff have done a significant amount of work with native Unionid mussels in the St. Lawrence River Area of Concern at Massena/Akwesasne and we are more familiar with the term "Native freshwater mussels". Suggest changing to what terminology is most common with the scientific community and used in community outreach efforts. For example, many reference books use "freshwater mussel" rather than "fluvial mussels". However, we concur the use of 'native' is important in this context since many still confuse zebra mussels (i.e. invasive non-native) with freshwater mussels (native).

Thank you for this opportunity to comment, any questions please feel free to contact me at 518- 358-5937 ext. 139.

Niawen/Thank you,

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